

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM MICHAEL NEWMAN,

Defendant.

CR-06-43-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 14, 2023. (Doc. 152.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 13, 2023. (Doc. 149) The United States accused William Newman, (Newman) of violating his conditions of supervised release 1) by failing to report to sex offender treatment on two separate occasions; 2) by failing to comply with his substance abuse testing requirements; 3) by knowingly having contact with a convicted felon; 4) by committing another crime on two separate occasions; 5) by failing to follow the

instructions of his probation officer; and 6) by possessing more than one device that is capable of assessing the internet. (Doc. 142.)

At the revocation hearing, Newman admitted that he had violated the terms of his supervised release 1) by failing to report to sex offender treatment on two separate occasions; 2) by failing to comply with his substance abuse testing requirements; 3) by knowingly having contact with a convicted felon; 4) by committing the crime described in alleged violation 5; and 5) by possessing more than one device that is capable of assessing the internet. Newman denied alleged violations 6 and 8. Judge Johnston dismissed alleged violations 6 and 8 on the government's motion (Doc. 149.) Judge Johnston found that the violations Newman admitted prove serious and warrants revocation of his supervised release and recommends a sentence of 5 months, to reside in a medial facility that can accommodate his medical needs, with no supervised release to follow. (Doc. 152.) Harrison was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights. (Doc. 149.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 152) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant William Michael Newman be sentenced to the Bureau

of Prison for 5 months, at a medial facility that can accommodate his medical needs, with no supervised release to follow.

DATED this 15th day of June, 2023.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court